

UNITED STATES DISTRICT COURT

United States District Court
Southern District of Texas
FILED

APR 27 2018

for the

SOUTHERN DISTRICT OF TEXAS

United States of America)

v.)

David J. Bradley, Clerk

Case No. M-18-0901-MVargas-Marroquin, Santiago (1978);
Castillo-Diaz, Andres (1994); Cerda-Jasso,
Sergio (1964); Marin-Garcia, Ismael (1991)Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 4/27/2018 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

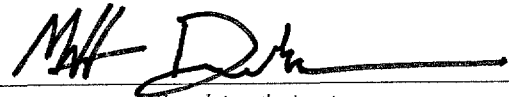
Code Section

Offense Description

21 USC 846
21 USC 841Conspiracy to Possess with the Intent to
Distribute and Possession with Intent to
Distribute Marijuana, approximately
105.500 kilograms, a schedule I
controlled substance.

This criminal complaint is based on these facts:

(See Attachment I).

☒ Continued on the attached sheet.Approved Joseph Leonard
Sworn to before me and signed in my presence.Date: 4/27/2018 8:55 amCity and state: McAllen, Texas

Complainant's signature

Matthew Dolengowski, DEA Special Agent

Printed name and title



Judge's signature

Peter Ormsby, US Magistrate Judge

Printed name and title

ATTACHMENT 1

1. On April 27, 2018, at approximately 1:00 a.m., U.S. Border Patrol (USBP) agents utilizing a video recording system observed six subjects carrying four bundles of suspected narcotics near FM 3167 and Expressway 83 in Rio Grande City, Texas. USBP agents responded to the area and observed six subjects carrying four bundles walking through an open field. As USBP agents attempted to approach the six subjects, agents observed the subjects drop the bundles of suspected narcotics and run south towards the Rio Grande River. USBP agents maintained visual of the subjects and were able to apprehend four of the individuals - Sergio CERDA-JASSO (hereafter, CERDA); Ismael MARIN-GARCIA (hereafter, MARIN); Santiago VARGAS-MARROQUIN (hereafter, VARGAS); and Andres CASTILLO-DIAZ (hereafter, CASTILLO), approximately 75 yards from where the bundles were dropped. Agents also seized four (4) bundles of marijuana wrapped in brown cellophane tape.
2. At the Rio Grande City USBP Station, agents processed the marijuana, which weighed approximately 105.500 kilograms (232.588 pounds). Agents also conducted a field test, which tested positive for characteristics of marijuana.
3. DEA Special Agents and USBP Agents conducted an interview with VARGAS. VARGAS read his own Miranda Warnings in Spanish, stated that he waived his rights, and agreed to be interviewed by agents without having an attorney present. VARGAS stated that he crossed the Rio Grande River on a raft with seven individuals and four bundles of marijuana at approximately 9:00 p.m. or 10:00 p.m. on April 26, 2018. VARGAS stated that he agreed to carry the marijuana in exchange for paying a crossing fee to enter the United States. VARGAS stated that he observed CERDA, MARIN, and CASTILLO all carry bundles.
4. DEA Special Agents and USBP Agents conducted an interview with CASTILLO. CASTILLO was read his Miranda Warnings in Spanish. CASTILLO stated that he waived his rights and agreed to be interviewed by agents, without having an attorney present. CASTILLO stated that he crossed the Rio Grande River on a raft with seven individuals and four bundles of marijuana at approximately 11:00 p.m. on April 26, 2018. CASTILLO stated that he was transporting the marijuana to avoid paying a crossing fee into the United States. CASTILLO stated that he was to be paid \$100 to cross the marijuana in addition to his crossing fee being waived. CASTILLO stated that he crossed with CERDA, MARIN, and VARGAS. CASTILLO further stated that MARIN was the guide for the group transporting the bundles of marijuana. CASTILLO stated that he observed VARGAS and CERDA carry bundles.
5. DEA Special Agents and USBP Agents conducted an interview with CERDA. CERDA was read his Miranda Warnings in Spanish. CERDA stated that he waived his rights and agreed to be interviewed by agents. CERDA stated that he crossed the Rio Grande River on a raft with ten or twelve individuals at approximately 9:00 p.m. or 10:00 p.m. on April 26, 2018. CERDA stated that some of the individuals went back across the river to retrieve three or four bundles. CERDA stated that he carried a bundle that he believed was marijuana. CERDA stated that he observed CASTILLO carrying a bundle of marijuana.
6. DEA Special Agents and USBP Agents conducted an interview with MARIN. MARIN was read his Miranda Warnings in Spanish. MARIN stated that he waived his rights and agreed to be interviewed by agents. MARIN stated that he crossed the Rio Grande River on a raft with seven individuals and four bundles at approximately 6:00 p.m. on April 26, 2018. MARIN stated that

he did not personally carry any bundles, but was working as a lookout for the group. MARIN stated that he observed VARGAS, CASTILLO, and CERDA all carry bundles.